

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
OCTOBER 13, 2005**

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Consent Order 05-0561-UST
 Order Date: August 8, 2005
 Respondent: **Carolina Food & Gas, LLC**
 Facility: Carolina Food & Gas
 Location/Mailing Address: 938 Edgefield Rd.
 N. Augusta, SC 29841

 County: Aiken
 Previous Orders: None
 Permit/ID Number: 00113

 Facility: Carolina Food & Gas
 Location/Mailing Address: 3448 Trask Pkwy.
 Burton, SC 29902

 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 09518
 Violations Cited: UST Control Regulations, R.61-92,
 §280.93(a), R.61-92, §280.110(c).

Summary: Carolina Food & Gas, LLC is a small business that owns and operates underground storage tanks located at the two facilities listed above. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility, and failure to supply records to the Department upon request.

Action: The Respondent has paid a civil penalty in the amount of one thousand one hundred dollars (**\$1,100.00**) and agreed to correct the violations within 30 days of receipt of the finalized order.

- 2) Order Type and Number: Consent Order 05-0439-UST
 Order Date: August 8, 2005
 Respondent: **Banjee Enterprises, LLC**
 Facility: BP Oil Company 24138
 Location/Mailing Address: 19103 Whyte Hardee Blvd.
 Hardeeville, SC 29927

County: Jasper
Previous Orders: None
Permit/ID Number: 05257
Violations Cited: UST Control Regulations, R.61-92, §280.93(a), R.61-92, §280.110(c).

Summary: Banjee Enterprises, LLC is a small business that owns and operates underground storage tanks located at the facility listed above. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility, and failure to supply records to the Department upon request.

Action: The Respondent has paid a civil penalty in the amount of one thousand one hundred dollars (**\$1,100.00**) and agreed to correct the violations within 30 days.

3) Order Type and Number: Consent Order 05-0607-UST
Order Date: August 24, 2005
Respondent: **Cannon Roofing Company, Inc.**
Facility: Cannon Roofing
Location/Mailing Address: 327 Kennedy Street
Spartanburg, SC 29304
County: Spartanburg
Previous Orders: None
Permit/ID Number: 08098
Violations Cited: UST Control Regulations, R.61-92, §280.31(b); R.61-92, §280.31(c); R.61-92, §280.40(a); R.61-92, §280.34(c).

Summary: Cannon Roofing Company, Inc. has offices in Spartanburg and Greenville, South Carolina. The Spartanburg location referenced above has one gasoline tank used for fueling their trucks. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to have the corrosion protection system tested every three years, failure check the rectifier every 60 days, failure to have an adequate release detection method, and failure to supply records to the Department upon request.

Action: The Respondent has agreed to correct the violations within 30 days of receipt of the signed order. If that deadline is met, the Department will consider reducing the civil penalty of one thousand one hundred dollars (**\$1,100.00**).

Solid Waste Enforcement

- 4) Order Type and Number: Consent Order 05-02-SW
 Order Date: August 12, 2005
 Respondent: **Threlko, Inc. Land-Clearing**
 Debris Landfill
 Facility: Same As Above
 Location/Mailing Address: 5231 Sharon Church Road,
 Abbeville County, SC/PO Box 298,
 Ninety Six, SC 29666

 County: Abbeville
 Previous Orders: None
 Permit/ID Number: 012741-1701
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002); The General Permit, issued
 September 22, 1995, and effective October 12, 1995, Section III. Special
 Conditions: B. Operation Criteria. 1., 4., 6., 7., 8., 10.; Section IV.
 Closure: A., B., C., D.; Permit # 012741-1701.

Summary: Threlko, Inc. Land-Clearing Debris Landfill (Respondent) operates a facility located at 5231 Sharon Church Road in Abbeville County, South Carolina (Site). The Department issued the Respondent a land-clearing debris landfill permit (Facility ID # 012741-1701) on January 12, 2004, operating under the General Permit. The Respondent violated its permit and the Regulation by failing to operate in compliance with its permit and failing to properly close the landfill.

Action: The Consent Order requires the Respondent to do the following: Immediately post signs that the landfill is closed; Within thirty (30) days of receipt of the signed order, complete steps for the final closure of the landfill and submit to the Department a completed Notification of Termination letter that says the Landfill has been properly closed out in accordance with the Regulation and the General Permit. Within thirty (30) days of the Department's approval of the final closure, the Landfill shall perform the following: (1) submit a plat to both the Department and the local zoning authority showing the final boundaries of the waste disposal area., (2) record a note on the deed to the property that will in perpetuity notify any potential purchaser of the property that the land or a portion thereof, has been used for the disposal of solid waste; and (3) submit a copy of the deed to the Department for our records; and pay to the Department a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

BUREAU OF WATER

Drinking Water Enforcement

- 5) Order Type and Number: Administrative Order 05-081-DW
 Order Date: July 7, 2005
 Respondent: **Piney Grove Utilities, Inc.**
 Facility: Franklin Park Subdivision PWS
 Location/Mailing Address: Callison Tighe Robinson LLP
 P.O. Box 1390
 Columbia, S.C. 29201

 County: Richland
 Previous Orders: 99-090-DW (\$32,000)
 02-268-W(\$37,024 Suspended),
 04-007-W(\$0), 05-040-W(\$0),
 05-076-W (\$62,460),
 05-077-W (\$4,305,131.52),
 05-082-DW (\$20,000)

 Permit ID/Number: 4050016
 Violations Cited: S.C. Code Ann. Regs. 61-58.7
 (B)(2), (B)(3), (B)(19), (B)(20), (E)(9), (E)(11) and (E)(13), 61-58.5 (C)
 and (G)(1), 61-58.6 (E), 61-58.11 (D), (I) and (H)(3) 61-30(G)(2), and
 S.C. Code Ann § 44-55-90(B)(1)

Summary: Piney Grove Utilities, Inc. and Piney Grove Utilities, Inc. (Respondent) d/b/a Franklin Park Subdivision Public Water System (PWS) is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to properly operate and maintain the PWS, failed to perform nitrate monitoring for the 2005 monitoring period; failed to perform bacteriological monitoring for the September 2002, June 2004, August 2004 and March 2005 monitoring periods; failed to perform lead and copper monitoring for the 4 consecutive monitoring periods of July – December 2002, January – June 2003, July – December 2003, and January – June 2004; failed to issue public notice (PN) for failure to perform bacteriological monitoring in September 2002; failed to perform Water Quality Parameter (WQP) analyses after a Copper Action Level Exceedance (ALE); failed to submit an approvable Optimal Corrosion Control Treatment (OCCT) Evaluation after a Copper ALE; and failed to pay State Safe Drinking Water Fees for the 2005 fiscal year.

Action: The Respondent has been ordered to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; issue PN to the residents for the September 2002 bacteriological non-monitoring

violation; correct all deficiencies from the August 28, 2003, and November 17, 2004, Sanitary Surveys; submit an approvable OCCT Evaluation of the Franklin Park Subdivision PWS; submit WQP analyses for the Franklin Park Subdivision PWS; pay the balance of the annual State Safe Drinking Water Fees for fiscal year 2005, which total one thousand four hundred forty-two dollars and thirty-eight cents (\$1,442.38); and pay a civil penalty in the amount of twenty-five thousand dollars **(\$25,000.00)**.

- 6) Order Type and Number: Administrative Order 05-082-DW
 Order Date: July 7, 2005
 Respondent: **Piney Grove Utilities, Inc.**
 Facility: Albene Park Subdivision PWS
 Location/Mailing Address: Callison Tighe Robinson LLP
 PO Box 1390
 Columbia, SC 29201

 County: Richland
 Previous Orders: 99-090-DW (\$32,000)
 02-268-W(\$37,024 Suspended),
 04-007-W(\$0), 05-040-W(\$0),
 05-076-W (\$62,460),
 05-077-W (\$4,305,131.52)
 05-081-DW (\$25,000)

 Permit/ID Number: 4050007
 Violations Cited: S.C. Code Ann. Regs. 61-58.7
 (B)(2), (B)(3), (B)(15), (B)(20), (D), (D)(5), (D)(9), (E)(2), (E)(9), (E)(11)
 and (E)(13), 61-58.5 (C) and (G)(1), 61-58.6 (E), 61-58.11 (H) and (H)(3)
 61-30(G)(2), and S.C. Code Ann § 44-55-90(B)(1)

Summary: Piney Grove Utilities, Inc. and Piney Grove Utilities, Inc. (Respondent) d/b/a Albene Park Subdivision PWS is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to properly operate and maintain the PWS, failed to perform nitrate monitoring for the 2005 monitoring period, failed to perform bacteriological monitoring for the September 2002, June 2004, August 2004 and March 2005 monitoring periods, failed to perform lead and copper monitoring for the July-December 2002 and January-June 2004 monitoring periods, improperly monitored for the January-June 2003 monitoring period, failed to issue PN for non-monitoring for lead and copper for the July-December 2002 monitoring period, failed to issue PN for non-monitoring for bacteriological contaminants for the September 2002 monitoring period, and failed to pay State Safe Drinking Water Fees for the 2005 fiscal year.

Action: The Respondent has been ordered to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; use National Sanitation Foundation approved chemicals to disinfect the well; issue PN

to the residents for the September 2002 bacteriological non-monitoring violation; issue PN to the residents for the July-December 2002 lead and copper non-monitoring violation; correct all deficiencies from the August 28, 2003 and November 17, 2004 Sanitary Surveys; pay the balance of the annual State Safe Drinking Water Fees for fiscal year 2005, which total one thousand three hundred ninety-eight dollars and thirty-eight cents (\$1,398.38); and pay a civil penalty in the amount of twenty thousand dollars (**\$20,000.00**).

- 7) Order Type and Number: Consent Order 05-107-DW
 Order Date: August 10, 2005
 Respondent: **Modestine Samuel**
 Facility: Samuel's Daycare
 Location/Mailing Address: 2814 Wagon Branch Loop
 Ridgeland, S.C. 29936

 County: Jasper
 Previous Orders: None
 Permit/ID Number: 2770109
 Violations Cited: S.C. Code Ann. Regs. 61-58.5(G)
 and 61-30(G)(2)

Summary: Modestine Samuel (Respondent) d/b/a Samuel's Daycare is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fee Regulations as follows: failed to perform the bacteriological monitoring for the 2003 and 2004 monitoring periods and failed to pay the annual State Safe Drinking Water Fees for fiscal years 2003 and 2004.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State laws and regulations; issue public notice to the residents of Samuel's Daycare; pay the balance of the annual State Safe Drinking Water Fees totaling two hundred seventy-five dollars (\$275.00); and pay a civil penalty in the amount of seven hundred dollars (**\$700.00**) in monthly installments.

- 8) Order Type and Number: Consent Order 05-108-DW
 Order Date: August 4, 2005
 Respondent: **Sharon Middleton**
 Facility: Middleton Place MHP
 Location/Mailing Address: 44 Poppy Hill Circle
 Beaufort, S.C. 29906

 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 0760069

Violations Cited:
and 61-30(G)(2)

S.C. Code Ann. Regs. 61-58.5(G)

Summary: Sharon Middleton (Respondent) d/b/a Middleton Place Mobile Home Park (MHP) is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fee Regulations as follows: failure to perform the bacteriological monitoring for the 1999, 2001, 2002, 2003, and 2004 monitoring periods and failure to submit the annual State Safe Drinking Water Fees for the 1999, 2001, 2002, 2003, 2004 and 2005 fiscal years.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State laws and regulations; issue public notice to the residents of Middleton Place MHP; pay the balance of the annual State Safe Drinking Water Fees totaling one thousand one hundred seventy-five dollars and sixty-four cents (\$1,175.64); and pay a civil penalty in the amount of seven hundred dollars (**\$700.00**).

9)	<u>Order Type and Number:</u>	Consent Order 05-110-DW
	<u>Order Date:</u>	August 12, 2005
	<u>Respondent:</u>	Bobbie Locklear
	<u>Facility:</u>	Berea Stop-N-Shop
	<u>Location/Mailing Address:</u>	2086 New Bridge Road McColl, S.C. 29570
	<u>County:</u>	Marlboro
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	3472002
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5
		(C)(2)(c) and 61-30 (G)(2)

Summary: Bobbie Locklear (Respondent) d/b/a Berea Stop-N-Shop owns and is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fee Regulations as follows: failure to perform annual nitrate monitoring for the 2003 and 2004 monitoring periods and failure to submit the State Safe Drinking Water Fees for fiscal years 2003, 2004, and 2005.

Action: The Respondent has agreed to: operate the PWS in accordance with all applicable State and Federal laws and regulations; issue public notice for the Berea Stop-n-Shop; pay the balance of the State Safe Drinking Water Fees totaling nine hundred thirty-seven dollars and fifty cents (\$937.50); and pay a civil penalty in the amount of seven hundred dollars (**\$700.00**).

- 10) Order Type and Number: Consent Order 05-114-DW
 Order Date: August 12, 2005
 Respondent: **Nancy Powell**
 Facility: Powell's II Mobile Home Park
 Location/Mailing Address: 7900 Old Percival Road
 Columbia, S.C. 29223

 County: Richland
 Previous Orders: 02-224-DW (\$700)
 Permit/ID Number: 4062002
 Violations Cited: S.C. Code Ann. Regs. 61-58.7
 (B)(1); 61-58.1 (B)(1), K)(1), and 61-30 (G)(2)

Summary: Nancy Powell (Respondent) owns and is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fee Regulations as follows: failure to properly operate and maintain the PWS; failure to obtain a construction permit prior to connecting the PWS; failure to obtain final Department approval prior to placing the PWS into operation; and failure to submit the State Safe Drinking Water Fees for Powell's MHP and Pine Grove MHP for fiscal years 1998, 2000, 2001, 2003, 2004, and 2005.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; pay the balance of the State Safe Drinking Water Fees, which total five thousand three hundred eight dollars and forty cents (\$5,308.40) in monthly payments; have well #2 properly abandoned by a South Carolina certified well driller; discontinue use of all wells as public water sources; and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) if she fails to meet any requirement of this Order.

- 11) Order Type and Number: Consent Order 05-122-DW
 Order Date: August 24, 2005
 Respondent: **Melrose Utility Company, Inc.**
 Facility: Daufuskie Island Club/Melrose PWS
 Location/Mailing Address: P.O. Drawer 23285
 Hilton Head Island, S.C. 29938

 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 0750043/0750038
 Violations Cited: S.C. Code Ann. Regs. 61-58.4
 (C)(1)(a)

Summary: Melrose Utility Company, Inc. (Respondent) is responsible for the proper operation and maintenance of the Melrose Subdivision PWS and the Daufuskie Island Club PWS a.k.a. Bloody Point PWS (hereinafter referred to as

Daufuskie Island Club PWS) that serve residential and commercial taps located on Daufuskie Island. The Respondent has violated the State Primary Drinking Water Regulations as follows: the Respondent's PWSs do not have adequate storage capacity for fire flow.

Action: The Respondent has agreed to: complete the construction for the connection of the Melrose PWS and the Daufuskie Island Club PWS by February 1, 2006; and pay a **stipulated penalty** in the amount of one thousand eight hundred dollars (**\$1,800.00**) should it fail to meet any requirement of this Order.

Water Pollution Enforcement

12)	<u>Order Type and Number:</u>	Consent Order 05-098-W
	<u>Order Date:</u>	August 3, 2005
	<u>Respondent:</u>	Beam's Maintenance Paving Company, Inc.
	<u>Facility:</u>	Beam's Maintenance Paving Company, Inc.
	<u>Location/Mailing Address:</u>	2335 Atomic Road Beech Island, S.C. 29842
	<u>County:</u>	Aiken
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	SCR10A745
	<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(1987) and 24 S.C. Code Ann. Regs. 61-9.122.26(c)(1)(Supp.2004)

Summary: Beam's Maintenance Paving Company, Inc. (Respondent) owns and is responsible for the land clearing, construction and equipment washing activities on a lot located at 2335 Atomic Road (Site) adjacent to the Beams Paving Company property. The Respondent has violated the Pollution Control Act and associated regulations as follows: initiated land disturbing activities prior to obtaining a permit and discharged storm water associated with construction activities, sediment, and silt into the environment.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of fifteen thousand four hundred dollars (**\$15,400.00**). The Department assessed a civil penalty in the amount of sixteen thousand four hundred dollars (\$16,400.00) with one thousand dollars (\$1,000.00) being suspended if the payment schedule of 4 quarterly payments is met.

- 13) Order Type and Number: Consent Order 05-101-W
Order Date: August 8, 2005
Respondent: **West Bank Construction Co., Inc.**
Facility: Red House Pond Mine
Location/Mailing Address: P.O. Box 478
Edisto Island, S.C. 29438
County: Charleston
Previous Orders: None
Permit/ID Number: SCG730657
Violations Cited: S.C. Code Ann. § 48-1-90(a)(1987)
and 24 S.C. Code Ann. Regs. 61-9.122.21(a)(3)(Supp.2004)

Summary: West Bank Construction Company, Inc. (Respondent) owns and is responsible for mining activity at the Red House Pond Mine (Site), located on Red House Road. The Respondent has violated the Pollution Control Act and associated regulations as follows: discharged mine pit dewatering into the environment and failed to submit a Notice of Intent (NOI) for coverage under the National Pollutant Discharge Elimination System (NPDES) Permit SCG730000.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report demonstrating implementation of Best Management Practices (BMPs); and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**). The civil penalty has been paid.

- 14) Order Type and Number: Consent Order 05-104-W
Order Date: August 3, 2005
Respondent: **SC Public Service Authority
(Santee Cooper)**
Facility: Cross Generating Station
Location/Mailing Address: P.O. Box 2946101
Moncks Corner, S.C. 29461
County: Berkeley
Previous Orders: None
Permit/ID Number: SC0037401
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(d)(Supp. 2004)

Summary: The South Carolina Public Service Authority (Respondent) is responsible for the operation and maintenance of a wastewater treatment facility (WWTF) serving the Cross Generating Station. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for fecal coliform bacteria (FC).

Action: The Respondent has agreed to: pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**).

- 15) Order Type and Number: Consent Order 05-105-W
Order Date: August 4, 2005
Respondent: **Clariant LSM (America), Inc.**
Facility: Clariant LSM (America), Inc.
 WWTF
Location/Mailing Address: 2114 Larry Jeffers Road
 Elgin, S.C. 29045
County: Kershaw
Previous Orders: 02-154-W (\$7,000)
Permit/ID Number: SC0002682
Violations Cited: S.C. Code Ann. § 48-1-110(d)(Supp.
 2004), 24 S.C. Ann. Regs. 61-9.122.41(a) and 61-9.122.47(e)(Supp. 2004)

Summary: Clariant LSM (America), Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving its specialty organic chemical manufacturing facility. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to submit progress reports every 9 months regarding the elimination of the discharge from the WWTF.

Action: The Respondent has agreed to: continue to operate and maintain the WWTF in accordance with the existing NPDES Permit until the discharge has been eliminated with the elimination of the discharge taking place no later than August 1, 2006; within 90 days of the Order date, and every 90 days thereafter until the discharge has been eliminated, submit progress reports detailing the work that has been completed during that period; within 180 days of discharge elimination, properly close out the WWTF in accordance with the Department approved closure plan; and pay a civil penalty in the amount of one thousand four hundred dollars **(\$1,400.00)**.

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| 16) | <u>Order Type and Number:</u> | Consent Order 05-111-W |
| | <u>Order Date:</u> | August 5, 2005 |
| | <u>Respondent:</u> | Richard Moorehead |
| | <u>Facility:</u> | Richard Moorehead Site |
| | <u>Location/Mailing Address:</u> | 269 Johns Cross Road
Blacksburg, S.C. 29702 |
| | <u>County:</u> | Cherokee |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | None |
| | <u>Violations Cited:</u> | S.C. Code Ann. § 48-1-90(a)(1987),
24 S.C. Code Ann. Regs. 61-9.122.26(b)(14)(x)(Supp. 2004) and 61-
68.E(5)(d)(Supp. 2004) |

Summary Richard Moorehead (Respondent) is responsible for land clearing and grading activities on an approximate 300-acre tract of land adjacent

to I-85 near Exit 102 (Site). The Respondent has violated the Pollution Control Act, Water Pollution Control Permit Regulations and the Water Classifications and Standards as follows: failed to properly install and maintain storm water control devices; discharged sediment into the environment; failed to keep waters of the State free from sewage or other wastes that interfere with classified or existing water uses; and installed at least 2 permanent stream crossings without the appropriate permits from the United States Army Corps of Engineers or certifications from the Department.

Action: The Respondent has agreed to: pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

17)	<u>Order Type and Number:</u>	Consent Order 05-112-W
	<u>Order Date:</u>	August 12, 2005
	<u>Respondent:</u>	Beachwood Mobile Home Estates, LLC.
	<u>Facility:</u>	Beachwood Mobile Home Estates
	<u>Location/Mailing Address:</u>	622 10 th Avenue North Surfside, S.C. 29575
	<u>County:</u>	Beaufort
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	ND0067091
	<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(a)(1987)

Summary: Beachwood Mobile Home Estates, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF and a wastewater collection system (WWCS). The Respondent has violated the Pollution Control Act and associated regulations as follows: discharged untreated wastewater into the environment.

Action: The Respondent has agreed to: submit a preliminary engineering report (PER) evaluating the condition of the wastewater collection system; submit 3 copies of plans, specifications, and an application for a Permit to Construct; within 180 days of discharge elimination, properly close out the WWTF in accordance with a Department approved closure plan; within 1 year of the Order date, be connected to Beaufort-Jasper Water & Sewer Authority's sewer system; and pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**). The Order assessed a civil penalty in the amount of six thousand eight hundred dollars (\$6,800.00). The Department suspended five thousand three hundred dollars (\$5,300.00) of the penalty, which will be due and payable if the Respondent fails to meet any requirement of this Order.

18)	<u>Order Type and Number:</u>	Consent Order 05-113-W
	<u>Order Date:</u>	August 8, 2005

Respondent: **G & W, Inc.**
Facility: G & W, Inc., WWTF
Location/Mailing Address: 5575 HWY # 97
Hickory Grove, S.C. 29717
County: York
Previous Orders: None
Permit/ID Number: ND0080748
Violations Cited: S.C. Code Ann. § 48-1-90(a)(1987),
48-1-110(d)(Supp. 2004), 24 S.C. Code Ann. Regs. 61-9.122.41(a) and
(d)(Supp. 2004)

Summary: G & W, Inc. (Respondent) is responsible for the operation and maintenance of a WWTF serving a meat processing facility. The Respondent has violated the Water Pollution Control Permit Regulations and the Pollution Control Act as follows: failed to comply with all the conditions of the Permit; failed to comply with the effluent limits for biochemical oxygen demand (BOD); failed to sample spray field monitoring wells; and failed to submit groundwater monitoring reports.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an updated Operations and Maintenance Manual (O&M); submit a Corrective Action Plan (CAP) summarizing the actions implemented to ensure that effluent limits are met; groundwater monitoring wells are sampled and groundwater monitoring reports are submitted; and pay a civil penalty in the amount of five thousand forty dollars (**\$5,040.00**) in 2 installments.

19) Order Type and Number: Consent Order 05-116-W
Order Date: August 17, 2005
Respondent: **Clemson University**
Facility: Memorial Stadium Renovation
Location/Mailing Address: 191 Old Greenville Hwy
Clemson, S.C. 29634
County: Pickens
Previous Orders: 00-183-W(\$850), 00-203-DW(\$893)
02-095-A(\$15,000)
04-015-A(\$10,000)
Permit/ID Number: SCR10A778
Violations Cited: S.C. Code Ann. § 48-1-90(a)(1987)
and 24 S.C. Code Ann. Regs. 61-9.122.26(b)(14)(x)(Supp. 2004)

Summary: Clemson University (Respondent) is responsible for the construction activities at the Memorial Stadium West End Zone Renovation Project. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: initiated land-disturbing

activities prior to obtaining a permit and discharged sediment into the environment, including waters of the State.

Action: The Respondent has agreed to: submit a report completed by a South Carolina Registered Professional Engineer certifying that all sediment and erosion control devices are installed and functioning properly and pay a civil penalty in the amount of fourteen thousand fifty dollars (**\$14,050.00**).

20) Order Type and Number: Consent Order 05-119-W
Order Date: August 25, 2005
Respondent: **Fairforest of Greenville, LLC**
Facility: Global Trade Park
Location/Mailing Address: 420 N. Pleasantburg Dr.
Greenville, S.C. 29607
County: Greenville
Previous Orders: None
Permit/ID Number: SCR109792
Violations Cited: 24 S.C. Code Ann. Regs. 61-9.122.21(a) and (e)(Supp. 2004)

Summary: Fairforest of Greenville, LLC (Respondent) is responsible for land disturbing activities at the Global Trade Park (Site). The Respondent has violated the Water Pollution Control Permit Regulations as follows: failure to properly install erosion and sediment controls.

Action: The Respondent has agreed to: comply with permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; submit a report, completed and stamped by a South Carolina Registered Professional Engineer, certifying that the implementation of the necessary storm water and sediment control devices is complete and in accordance with the approved plans and specification; and pay a civil penalty in the amount of eleven thousand two hundred dollars (**\$11,200.00**).

21) Order Type and Number: Consent Order 05-120-W
Order Date: August 25, 2005
Respondent: **Forest Woods, Inc.**
Facility: Forest Woods Subdivision
Location/Mailing Address: 5007 Trenholm Road
Columbia, S.C. 29206
County: Pickens
Previous Orders: None
Permit/ID Number: SCR105890

Violations Cited: S.C. Code Ann. § 48-1-90(a)(1987),
S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(1)(Supp. 2004) and 61-68.E
(5)(d)

Summary: Forest Woods Inc. (Respondent) is responsible for the construction activities at Forest Woods Subdivision (Site). The Respondent has violated the Pollution Control Act, Water Pollution Control Permit Regulations, and Water Classifications and Standards as follows: failed to install, operate and maintain BMPs to control sediment and erosion and to utilize proper measures to control the quality of storm water runoff; discharged sediment into the environment, including waters of the State; and discharged deleterious material into waters of the State, which is harmful to aquatic life and interferes with classified or existing water uses.

Action: The Respondent has agreed to: submit an updated permit application for the Site; submit a report completed by a South Carolina Registered Professional Engineer certifying that all sediment and erosion control devices are installed and functioning properly as specified by the approved sediment and erosion control plan; comply with the construction sequences contained in the Order until the updated Site permit is issued; comply with the conditions and construction sequences contained in the updated Site permit when issued; and pay a civil penalty in the amount of seven thousand six hundred ten dollars (\$7,610.00) in quarterly installments. The Order assessed a civil penalty in the amount of twenty five thousand six hundred ten dollars (\$25,610.00). The Department suspended eighteen thousand dollars (\$18,000.00) of the penalty that will be due and payable if the Respondent fails to meet any requirement of this Order.

22) Order Type and Number: Consent Order 05-121-W
Order Date: August 24, 2005
Respondent: **MRN Holdings, LLC**
Facility: The Plantation on Pelham
Location/Mailing Address: 108 N. Main Street
Anderson, S.C. 29621
County: Greenville
Previous Orders: None
Permit/ID Number: SCR106981
Violations Cited: S.C. Code Ann. § 48-1-90(a)(1987),
24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(Supp. 2004), and 25 S.C.
Code Ann. Regs. 61-68.E.5.d(Supp. 2004)

Summary: MRN Holdings, LLC (Respondent) is responsible for land clearing and construction activities at The Plantation on Pelham (Site). The Respondent has violated the Pollution Control Act, Water Pollution Control Permit Regulations and the Water Classifications & Standards as follows: failed

to properly install and maintain all storm water control devices; failed to keep waters of the State free from sewage or other wastes that interfere with classified or existing water uses; and discharged sediment into the environment, including into waters of the State.

Action: The Respondent has agreed to: comply with State and Federal Regulations and guidelines and pay a civil penalty in the amount of nine thousand eight hundred dollars (**\$9,800.00**).

BUREAU OF AIR QUALITY

23) Order Type and Number: Consent Order 05-038-A
Order Date: August 8, 2005
Respondent: **Huntington Foam SE Corporation**
Facility: Huntington Foam SE Corporation
Location/Mailing Address: 101 Schmid Plaza Rd
Anderson, SC 29624
County: Anderson County
Previous Orders: None
Permit/ID Number: CM-0200-0135
Violations Cited: U.S. EPA Regulation 40 CFR
60.7(a)(3), SC Regulation 61-62.60, and SC Regulation 61-62.1, Section
II, Permit Requirements.

Summary: Huntington Foam SE Corporation (Respondent), located in Anderson, South Carolina, is a custom molder of expandable polystyrene. The Respondent violated U.S. Environmental Protection Agency and South Carolina Air Pollution Control Regulations as follows: failure to apply for and obtain required Department-issued permits prior to installing and operating sources of air contaminants, and failure to submit a notification of the actual date of initial startup of operations to the Department no later than fifteen (15) days after startup.

Action: The Respondent has agreed to submit all delinquent notifications required by New Source Performance Standards, henceforth apply for and obtain required Department-issued permits prior to installing, operating, or modifying any source of air contaminants, henceforth request an operating permit at least fifteen (15) days prior to placing sources of air contaminants into operation, and pay a civil penalty in the amount of nine thousand five hundred dollars (**\$9,500.00**).

24) Order Type and Number: Consent Order 05-039-A
 Order Date: August 8, 2005
 Respondent: **International Paper – Eastover Mill**
 Facility: International Paper – Eastover Mill
 Location/Mailing Address: PO Box B
 Eastover, SC 29044
 County: Richland
 Previous Orders: None
 Permit/ID Number: None
 Violations Cited: U.S. EPA 40 CFR 63.862(a), and
 South Carolina Air Pollution Control Regulation 61-62.63 - Subpart MM;
 U.S. EPA 40 CFR 60.282(a)(2), and South Carolina Air Pollution Control
 Regulation 61-62.60 - Subpart BB; and S.C. Code Ann. § 48-1-90(a)

Summary: International Paper – Eastover Mill (Respondent), is a Kraft paper mill. The Respondent violated Federal and State regulations and permit requirements, as follows: exceeded the particulate matter (“PM”) emission limits for its No. 1 Smelt Dissolving Tank during a source test. A scrubber controls PM emissions from the No. 1 Smelt Dissolving Tank.

Action: The Respondent has agreed to limit PM emissions from the No. 1 Smelt Dissolving Tank in accordance with regulatory requirements; conduct a Department-approved source test for PM emissions from the No. 1 Smelt Dissolving Tank; conduct a subsequent source test for PM emissions from the No. 1 Smelt Dissolving Tank no later than two years from the date of the test required above; thereafter, conduct tests no later than that date every second year until such time as a new test schedule is established upon renewal of its Part 70 (Title V) Air Quality Operating Permit; and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

25) Order Type and Number: Consent Order 05-040-A
 Order Date: August 8, 2005
 Respondent: **D & M Services**
 Facility: D & M Services
 Location/Mailing Address: 2126 Tigerville Rd
 Taylors, SC 29687
 County: Greenville County
 Previous Orders: None
 Permit/ID Number: None
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.2, Prohibition of Open Burning, U.S. EPA Regulation
 40 CFR 61 Subpart M and South Carolina Air Pollution Control
 Regulation 61-86.1, Standards of Performance for Asbestos Projects.

Summary: D & M Services (Respondent) is a land-clearing contractor. The Respondent violated South Carolina Air Pollution Control Regulations as follows: the Respondent demolished and burned a barn, three mobile homes, and a home in Taylors, South Carolina, and failed to conduct an asbestos survey, submit the necessary notification, and obtain the required asbestos project license and pay required fees prior to commencing demolition of regulated structures.

Action: The Respondent has agreed to cease open burning except as in compliance with South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning, henceforth comply with U.S. EPA 40 CFR Subpart M and South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects, and pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The penalty payment of two hundred and fifty dollars has been paid. The second payment is due 60 days after the execution date of the Order.

26) Order Type and Number: Consent Order 05-041-A
Order Date: August 30, 2005
Respondent: **Greg Porter**
Facility: Greg Porter
Address: 3630 Calhoun Memorial Hwy
Greenville, SC 29611
County: Greenville County
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning.

Summary: Greg Porter (Respondent) owns property at 3630 Calhoun Memorial Highway in Greenville, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations as follows: the Respondent burned the remnants of approximately twenty mobile homes on his property.

Action: The Respondent has agreed to cease open burning except as in compliance with South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning, and pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**). The penalty has been paid.

27) Order Type and Number: Consent Order 05-042-A
Order Date: August 24, 2005
Respondent: **Santee Cooper (SC Public Service Authority)**

<u>Facility:</u>	Santee Cooper – Jefferies Generating Station, Santee Cooper – Winyah Generating Station.
<u>Location/Mailing Address:</u>	One Riverwood Dr Moncks Corner, SC 29461
<u>County:</u>	Berkeley County Georgetown County
<u>Previous Orders:</u>	03-062-A(\$4,000), 04-029-A, 00-042-A(\$4,500), 01-038-DW (\$8,000)
<u>Permit/ID Number:</u>	Jefferies - 0420-0003 Winyah - 1140-0005
<u>Violations Cited:</u>	U.S. EPA 40 CFR 60.42(a)(1), South Carolina Air Pollution Control Regulation 61-62.5, Standard 1, and S. C. Code Ann. § 48-1-90(a).

Summary: Santee Cooper (Respondent), operates two 1,533-mmBtu/hr coal-fired electric generating units at its Jefferies Generating Station in Moncks Corner, South Carolina, and four 2,660-mmBtu/hr coal-fired electric generating units at its Winyah Generating Station in Georgetown, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to limit its particulate matter (PM) emissions from Jefferies unit # 4 below its limit of 0.47 lb/mmBtu during a Department-approved source test on October 5, 2004; and failure to limit its PM emissions from Winyah unit # 2 below its limit of 0.10 lb/mmBtu during a Department-approved source test on January 18, 2005.

Action: The Respondent has demonstrated compliance during a re-test for PM emissions at both Jefferies # 4 and Winyah # 2, and agreed to pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**) for the source test failure at Winyah unit # 2, and seven thousand dollars (**\$7,000.00**) for the source test failure at Jefferies unit # 4.

28)	<u>Order Type and Number:</u>	Consent Order 05-043-A
	<u>Order Date:</u>	August 30, 2005
	<u>Respondent:</u>	Mr. Robert Taylor d/b/a Triple R Industrial Services
	<u>Facility:</u>	Connected Retail Space
	<u>Location/Mailing Address:</u>	2010, 2012, 2016 Augusta Rd Greenville, SC
	<u>County:</u>	Greenville
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	None
	<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-86.1

Summary: Mr. Robert Taylor d/b/a Triple R Industrial Services (Respondent), located in Anderson, South Carolina, is a licensed asbestos abatement contractor. The Respondent has violated South Carolina Asbestos Regulations as follows: failure to seal each opening between the work area and uncontaminated areas with a critical barrier consisting of at least one sheet of 6-mil or thicker polyethylene sheeting secured in place; failure to seal floors not being abated with at least two layers of 6-mil or thicker polyethylene sheeting; and failure to cover walls not being abated with at least one sheet of 4-mil or thicker polyethylene sheeting.

Action: The Respondent has agreed to: henceforth seal all openings between the work area and uncontaminated areas with a critical barrier consisting of at least one sheet of 6-mil or thicker polyethylene sheeting secured in place and maintained leak-tight for the duration of asbestos abatement; henceforth seal floors not being abated with at least two layers of 6-mil or thicker polyethylene sheeting prior to beginning removal; henceforth cover walls and ceilings not being abated with at least one sheet of 4-mil or thicker polyethylene sheeting prior to beginning removal; and pay to the Department a civil penalty in the amount of two thousand dollars (**\$2,000.00**). The penalty will be paid in six monthly installments.

29)	<u>Order Type and Number:</u>	Consent Order 05-044-A
	<u>Order Date:</u>	August 30, 2005
	<u>Respondent:</u>	Robert Bosch Corporation
	<u>Facility:</u>	Robert Bosch Corporation
	<u>Location/Mailing Address:</u>	8101 Dorchester Rd North Charleston, SC 29418-2998
	<u>County:</u>	Dorchester
	<u>Previous Orders:</u>	02-028-A (\$16,000), 03-025-HW(\$16,000)
	<u>Permit/ID Number:</u>	0900-0020
	<u>Violations Cited:</u>	U.S. EPA 40 CFR 52.21 and South Carolina Air Pollution Control Regulation 61-62.5, Standard 7, <u>Prevention of Significant Deterioration (PSD)</u> ; South Carolina Air Pollution Control Regulation 61-62.1, Section II, <u>Permit Requirements</u> ; S.C. Code Ann. §48-1-110(d); and S.C. Code Ann. §48-1-90(a).

Summary: Robert Bosch Corporation (Respondent) manufacturers automotive fuel injectors, anti-lock braking systems, and diesel fuel pumps. The Respondent violated Federal and State regulations and permit requirements as follows: failed to complete a PSD review prior to installing a major plant (installation of six EV6 fuel injector lines); failed to complete a PSD review prior to a major modification (installation of EV14 fuel injector line No. 1); failed to apply for and obtain the appropriate permits prior to installing and operating six

EV6 fuel injector lines, EV14 line No. 1, and two thermal etching machines; failed to provide information necessary to accurately determine oil mist particulate matter (PM) emissions; failed to monitor and report actual volatile organic compound (VOC) consumption and emissions; failed to limit facility-wide VOC emissions to less than 100 tons per year based on a 12-month rolling sum; failed to restrict fuel usage to natural gas in Boilers No. 1 and 2; failed to conduct daily visual inspections when burning fuel oil in its boilers; failed to conduct visual inspections of the EV6 and EV14 lines; and failed to submit semiannual visual inspection reports for the EV6 and EV14 lines.

Action: The Respondent has agreed to accept Federally enforceable limits to avoid the permitting requirements of PSD or complete a PSD review prior to a major modification resulting in significant increases; obtain appropriate permits prior to constructing, altering, or adding to any sources of air contaminants; provide all information necessary to determine actual and potential emissions; conduct daily visual inspections and submit reports of these inspections; and pay a civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**).